

Language Justice in Vermont

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My name is Amanda, and I am the Director of Policy, Education and Outreach for the Vermont Human Rights Commission. I'm so happy for you to be out here. I'm going to turn it over to Xusana Davis who is the moderator and the amazing Executive Director of Racial Justice here in Vermont. I am happy that we have some accessibility today. All of us, we're trying. And this is about language justice. So, we have English to Spanish interpretation. If -- we are hoping that you have your cameras off so that we can have our sign language interpreters being able to be seen. I'm going to pin right now. Is that okay? To pin you?

Okay. Good. So, we're going to have -- and then the panelists should be on the top. You keep the video off, it will help us. There's a little globe where you can choose the language. If we speak -- the majority of the conversation is in English. But [Speaking Spanish] -- I was just saying that if you speak Spanish, there's a Spanish interpretation. You can hit the globe and hit it there. And you will be able to listen to our interpreters.

I want to thank the interpreters for being here today. Thank all the panelists and -- oh. and we have captioning. Thank you. Because we have a person doing captions too. And in the chat, I am going to copy where you can get the captioning -- oh. No. That's not it. Sorry. Maybe Amanda can help me put it in the chat. You can also just see the subtitles. So, we'll put it in the chat, so we have captioning. And I am the tech person. So, I don't know much about tech, but I'm here to figure it out. Without further ado. Xusana Davis.

XUSANA: Okay. Hello. Good afternoon, buenas tardes, everybody. Good afternoon. This is the language justice panel, hosted by the State of Vermont. And we are extremely fortunate to have five panelists today who are gonna share their insights and their experiences around language justice. They're gonna help us understand what that means. Who it impacts. Give you a hint: Everybody. And what are some of the steps we can take to improve? Not just here, but in all other spaces.

I am using all my energy to speak slowly. Which is hard for me. And I'm gonna ask our panelists to try to join me in doing that since our conversation is being captioned, transcribed, translated, and interpreted.

So, let's move forward with some --

>> Recording in progress.

XUSANA: Our first panelist is Odilia Romero, the co-founder of Comunidades Indigenas en Liderazgo. We also have Thelma Gomez, a leader at migrant justice. We have Deepa Kumar, programs manager in the planning division of the Vermont judiciary. We've got Alison Segar with the Vermont justice project. And John Pirone, a lecturer and coordinator and so much more, particularly around American Sign Language. And as Amanda mentioned, I'm Xusana Davis, the Executive Director for the State of Vermont, Racial Equity. I'm going to moderate today. I did a brief introduction of the panelists because I couldn't do justice to all of their experience and their work. So, I would like to invite each of them just to speak for about a minute on who they are, what they're working on these days and why language justice

is important for them in their work. And I'm gonna go in the same order in which I first introduced them. So, Odilia, I would like to start with you, please.

And -- I think you might be muted.

ODILIA: Oh. Okay. Good afternoon. My name is Odilia Romero. I'm a Zapotec/Spanish/English interpreter. But I'm also the Executive Director and co-founder of community of Indigenous in Mexico. And why is language access important? Because it's a human right. It's the key to your human rights to be able to understand any proceedings, any due processes. For you to -- if you don't understand that then there's a violation of human rights. And without language access, as in the Indigenous people, we live daily a violation of our human rights.

XUSANA: Thank you, Odilia. Thelma.

THELMA: Hi, I'm Thelma, I organize. And I'm here to learn about the justice in the language. And as my partner there said, here we're a community in Vermont and we are in a lot of spaces. And sometimes not being able to understand our languages is a violation of our rights. And we're here to see how we can learn and how to improve. Otherwise we're not covering everything.

XUSANA: Thank you, Thelma.

THELMA: And I wanted to say that I want to apologize if I turn off my camera because my daughter's a little bit sick here at home. So, I'm here also as a mom.

XUSANA: Thank you, Thelma. And thank you for balancing all of the aspects of your life to be here with us today. Seema.

SEEMA: Hi, everyone. Thanks for being here today and joining us. I joined the judiciary in April of this year. Prior to this, I was working on human rights issues and rural development. Mainly in India. But throughout south and southeast Asia. And what language access means to me, especially at the judiciary, is really putting everyone at an equal pace. And an equal accessibility to our court system. Thanks.

XUSANA: Thank you, Seema. Alison.

ALISON: Hi, my name is Alison Segar. And I'm here in Burlington, Vermont, representing the Vermont Language Justice Project. We started up in April 2020 when we realized that information that was going out about COVID in our community was only going out in English. And over the course of the last 20 or so months, we've gone from it being a project on my kitchen table at home in my spare time to a funded project by the CDC sponsored by the Vermont Department of Health. We translate scripts into 12 languages. It was 10 and now we're including Pashto and Dari to reflect the new Afghan arrivals. And we are also coordinating to do ASL videos on everything to do with COVID. And to this day, we've had over 34 and a half thousand views on our YouTube channel. And we're expanding at a rapid pace.

XUSANA: Thank you, Alison. And John.

JOHN: [Speaking in sign language] --

XUSANA: I'm not hearing the interpreter. Are others able to hear?

AMANDA: No.

XUSANA: So sorry, John. Just give us a moment to collect ourselves.

>> Is the mic good now?

AMANDA: Yes.

>> Yes?

AMANDA: Okay.

JOHN: All right. Take two. So, yes, I do work at the University of Vermont as a lecturer of ASL, Deaf studies, et cetera. For me, language justice is about space and equal space for all languages. Can people use and utilize the language, thrive with it. You need to have access to equity and access to the space. And as Deaf people using American Sign Language as our first language, we do not have equitable space and opportunity to use our language and have the resources to access information in our first language.

AMANDA: Did everybody hear that? Because there was a few people that didn't. I just want to make sure that -- Xusana, were you able to hear it?

XUSANA: I did not. What I did was turn on the captioning.

AMANDA: Okay.

>> If you go to where it says English on the bottom, the second from the right and click under there, it should come up so that you can hear the interpreters.

XUSANA: Thank you, Saudia. I don't have that icon on mine. This might be an outdated version of Zoom.

AMANDA: Okay. So --

XUSANA: I'm gonna join some of our other viewers and relying on accommodations. So, I will use the captioning. Which I'm gonna consider an immersion experience. All right. So, thank you all so much. You know, I heard a lot in the introductions that you gave that already could probably be a whole 'nother hour and a half conversation. And maybe we can come back to some of that. But I wanted to first just do some level-setting. We have a lot of attendees from different backgrounds and different experiences. And one thing that might be helpful for us is if we could define what language access and language justice actually means. And before I go any further, I just want to ask our attendees if you have thoughts, questions, reactions, please feel free to use the chat to share them. We'll be watching the chat throughout the conversation.

If you don't hear your question asked in real-time, please don't worry, we will get to it at the end. So, with that, let's move on to helping us define our terms a little bit. Seema, maybe you could start us off by helping us understand what language access looks like from a government institution perspective.

SEEMA: Sure. That's great starting question for all of us. For me, language access in the judiciary means there's an entire system of language access services in place that's regarded as sort of a fundamental principle of equity and inclusivity. And it's essential that this system of language access is promoting the integrity and the accuracy of not only court proceedings or court programs, but also looking at it from a broader angle. That all persons needing to engage with the courts are able to do so in a language that they understand and are able to be understood by the courts. Like I said, in instances

that require instant translation, documents, as well as accessing online resources on the website and other online portals. You know, without real access to an appropriately qualified interpreter or a translator or the online portals, a person cannot comprehend what legal predicament they're in, they cannot communicate with judges and court operations staff. They cannot give or understand testimony. They can't even understand their settlement agreements or court orders. So, the consequences are dire without this system of language access being in full working order and sort of moving towards eliminating the barriers in having this substantive language access is really crucial for achieving language justice in our court system.

XUSANA: Great, thank you, Seema. You talked about some of the real-world consequences of not having language access. And Alison, I was hoping you could help build on that. Particularly from your lens throughout COVID-19 and some of the consequences that you either witnessed or helped people avoid.

ALISON: Sure. Hi. Well, if you don't know about a pandemic that's going on, and you don't know that you need to wear a mask because you can't read and you can't write. Or you don't read English. Or you can't read the very dodgy stuff that gets put on the Internet through Google Translate because it makes no sense, you can die. I mean, it's as simple as that. That's the bottom line. Is if you don't have accurate information -- medically accurate information -- in your language, it can result in death. If you don't know how to get tested, where to go to get tested, you can be not only infecting other people, but you can be getting very sick. So, the problems with not having access to medically-accurate information, specifically around COVID are very, very severe. And what we've had to do is make sure our scripts are checked over by medical people to make sure that they're accurate. And then very often, you know, one of the things that's been really hard is to figure out how to say things in a way that makes sense in a multitude of different languages because some things just aren't translatable.

So, yeah. The bottom line for us is if it's not out there in multiple different forms. And we send things out through WhatsApp all the time, we send things out through texting. We send things out through robocalls through the school districts. If those messages are not received, then the bottom line is that people can die.

XUSANA: Thank you for that. You know, I'm reminded about the water crisis in Flint, Michigan. And how in the early days, when the toxicity was first discovered, the non-English speaking community went weeks still being exposed to that poisoned water. Longer than white residents -- or English-speaking residents. Simply because the city wasn't putting out the warnings in languages other than English.

So, thinking about the legal and health and the mortality consequences that Seema and Alison have shared for us really comes into perspective when we think about how emergencies can really be life or death when it comes to language access.

Now, we've talked a little bit about the importance of having spoken languages other than English. But, of course, we know not all languages are spoken verbally. And so, I would like to turn to John for a little insight into what are some of the ways that organizations or governments or peoples can get it right? Or get it wrong when it comes to providing language access beyond the sort of obvious things like robocalls or posters?

JOHN: Sure. So, I would say with various emergencies that have come to the forefront of our minds, as you have mentioned, it's always disseminated in English. And a couple of examples. One prime one from when I used to live in Massachusetts, which is where I originate from. There was a water main break. And police officers were patrolling through the streets and using their PA system from their cruisers to say, please don't drink the water, everybody. Please don't drink the water. And that was in spoken English. So, a lot of people -- especially Deaf people -- were left out of that message. And in the town of Massachusetts, they've decided to also, you know, distribute information via radio.

And they were going to have pesticides sprayed in our area and we had to close our windows overnight. I did not get that message, because, again, it was via spoken English on the radio. So, I've done a lot of advocacy work to educate people and make sure there's legislative action that's taken to have the government shift their train of thinking and make sure that any press conferences, any announcements are also held in American Sign Language. So, that is one way that Deaf people need to access the information. We need to see it in American Sign Language, in our first language. And people think, oh, well, Deaf people should read English. That should be all well and good. What about the captions? Yes, there are some people that are bilingual. But English is not our first language. So, to rely solely on captioning is not going cut it. When we see it in our first language, much like many of you, when you hear it in your first language, it's much easier to comprehend. You get a better picture. We need that same equivalent access.

One other quick thing. People wonder, why are there Deaf interpreters on stage as opposed to hearing sign language interpreters on stage. It's a great question. So, a lot of the interpreters that are hearing that render into sign language are not native users of the language. They may have picked it up later in life and then become credentialed interpreters. They don't have the cultural nuances or linguistic nuances as a Deaf person. So, a Deaf interpreter would work in tandem with the hearing interpreter to render that information much more clearly, accurately, and culturally effectively on stage than a hearing interpreter would.

XUSANA: Thank you for that. And wow --

AMANDA: That is amazing. I just have to interpret for one second because I want to make sure so the people in the Spanish line cannot hear the ASL English interpreter. And I'm trying to just troubleshoot that real quick. If you have the captions, I'll make sure that whatever John says doesn't get lost and they can understand that later. But for now, I'm gonna just -- just give me one minute to go to the Spanish channel.

Okay. Okay. Si. Okay. Perfect. Okay. Thank you. Okay, Xusana, you're on.

XUSANA: Thank you, Amanda. And thank you, John, that -- that anecdote about the pesticide warnings and the police cruisers was pretty shocking. I just imagine what it would feel like for me to look out the window and -- [Spanish] -- and not know why they had lights and sirens pass my house and not get an answer to that question. That's creepy. That's a creepy thing.

So, we've heard so far about the implications of people not having access to linguistically accessible info and services. And John tee'd us up a little bit in talking about how we can merge people with different experiences in this work. For example, whether it's ASL interpreters are hearing or not hearing. And the ways in which people's backgrounds can inform their ability to serve as interpreters. I would like

to turn to Odilia on that topic and ask her: What are the ways that you see those different backgrounds coming to the effectually for language justice? I know that you work in multiple languages beyond English and Spanish. And the cultural differences that people bring with them. How have you seen that work? Either for better or for worse?

ODILIA: Well, that's a challenging question. We have over 300 interpreters. Indigenous interpreters. And for us, you know, when we talk about language justice, it actually we see that there's no justice for Indigenous people. Because it's so complicated because there's an assumption that we're all Mexicans, right? Or that we're all Latinos and that we all speak Spanish. And under that assumption, people go around throughout the United States and people say that we're Mexicans or Latinos. And when that happens is what others express of people losing their lives. You know, having the surgery that they did not understand what it was.

And with us, it's like, so... that's racism as well too that is involved there towards indigenous people from other Latinos and Latinas. So, they don't provide it. And then when we talk about this movement of language access, we say that there's no such thing for us. Because the Spanish/English interpreter are our biggest allies or our worst enemy. They're the person that will notice if we didn't make sense in the way we are structuring a message in Spanish. It will be them, the advocates of language justice, hey, they might be speaking another language. But most of the time, they don't do it. So, that's one.

How are we addressing it? We have to train our own interpreters. We create our own because we cannot depend on our allies of the language justice movement. Because that becomes an imposition what thing is language justice. Not taking into account the multiple world views we have as indigenous people. I'm Zapotec, my hundred is as well, he eats one plant, I'm like, why would you eat that? They cook with guajillo, and we don't. They want to make everything with guajillo. We don't eat guajillo. We use chili. People assume you're going to impose your curriculum and world view to indigenous interpreters. No. That's not the way it works. We have our own curriculum. We have to train our own interpreters in order to be able to have language -- to deal with some of the language injustice that happens with Indigenous people.

XUSANA: Thank you, Odilia. I would like to ask Thelma if she could expand a little bit on that. Thelma, you have been in a lot of different spaces and your colleagues at Migrant Justice have been in a lot of different spaces. And sometimes the interpretation goes very well. The meeting goes well. And sometimes it doesn't. Can you share with us some examples of times when they really got it right and you felt that there was genuine language access and awareness? Or maybe sometimes that they could have improved.

THELMA: Hello, everyone. Thank you so much to everyone for what you shared. It's always really wonderful to hear from people. And it's so important to have these spaces to understand better. And in the last two years since COVID-19 arrived, it's been especially challenging, and it's been even harder. The technical difficulties are always something that's very challenging and it impacts our work. Sometimes I'm trying to explain something I'm not sure if others are really understanding it. And I think in the last two years really have been especially more difficult because of all the virtual work that we're doing in the spaces that we're participating in.

I'm not thinking right now in a specific example. But within the team of Migrant Justice, we're always trying to look for who can help with interpretation, who can translate to make sure that the message comes out really clear. And that we're understood.

XUSANA: Thank you, Thelma. This topic of the technology is an important one. Because during the pandemic, a lot of people have thought that virtual meetings have made things easier. Because now instead of having three meetings a day, we can have 12. And somehow that's supposed to be better. And I'm curious because the technology can -- like Thelma says -- it can help. But it can also hurt. Depending on how it's used. I would like to ask Seema and John if they have any thoughts on the question of how the technology can be used to assist and to increase language justice? Or -- and -- what are some of the ways that we've seen it stand in the way?

SEEMA: Sure. Do you want -- okay. Do you want to go? Sure, I'll go first. In terms of increasing access, you know, the Vermont Judiciary is sort of at an interim stage right now where in May of this year we developed a new language operations manual to be more inclusive in terms of language access and the courts. And with that new manual, one of our mandates or requirements is to use more qualified, more certified interpreters. And so, for us, that really means using a lot of interpreters that are based throughout the US. And so, for that reason, we have been able to increase much more language access because of the ability to use remote video interpretation.

But the downside of that is one of the points that John made earlier. Is that you lose that intimacy of translation or interpretation. That you use that nuance or the subtleties sometimes if the video quality isn't great, if the audio quality isn't great. If the camera positioning is not perfect. That's encapsulating the speaker, but then, you know, picking up on all the gestures and the cues that will sort of inflict or sort of go into the accuracy of an interpretation. Those are sort of the positives and the negatives of technology for us.

JOHN: Absolutely. Thank you, Seema. Yes. There are definitely pros and cons. No matter which way you look at it. I would say the same goes for us, Seema. Yes, we can use interpreters from throughout the United States remotely. Because our interpreting pool in Vermont is pretty small. So, it's nice to remember that we have alternative options. And you have to remember too that not all interpreters fit every Deaf person and vice versa. So, it's not a one size fits all in terms of who can interpret for whom. It's tailored. I have a friend who is a Black Deaf person. Being a BIPOC person in Vermont, it's tough to find BIPOC interpreters in Vermont. He's at a loss how to find an interpreter to render for him and of him in the best way possible.

In terms of things that don't go well, L1 and L2, first and second languages. Hopefully you have seen those before. An interpreters L2 is typically American Sign Language. Their L1 is probably going to be L1. And also, the modality of a visual language is their second modality. So, they were born with the ability to hear. So, their first language is typically spoken English and they're not reliant upon their eyes or a visual mode of language until they're later in life.

So, with technology, as Deaf people, we're very much accustomed to using video technology. We're very astute to catch all the nuances that we see on the screen. Interpreters don't always have that finesse. Because they are not accustomed to a visual language and then you put on top of that, screen time. And they're not able to attend in the way that we as native Deaf people are. So, that definitely has

a negative impact. Particularly in the K-12 educational setting. Doing remote learning. There's oftentimes interpreters that are missing information in the classroom.

So, then I think about people who are facilitating remote platforms, events. They might not realize that as a Deaf participant or a Deaf panelist, they have to modify and they're not able to attend to what we need visually and often times that impacts how the events go.

XUSANA: Thank you for that. John, you touched on something that Seema mentioned about having a small pool based on the language that's needed. Whether it's sign language or whether it's one of Vermont's more commonly spoken non-English languages like Kirundi or Lingala or Mimi, and the challenges with some more common languages, Spanish, French, Polish, Italian, versus languages that may not be some common. And the question of how do we find interpreters with lived experience? Or with that nuanced technical understanding? And I think Odilia touched on this earlier, if there's a discrepancy between what they're saying and what the interpreter is asked to relay, who is going to know and who is going to flag it and intervene before harm is done?

So, I would like to turn it back to Alison and ask: What has your experience been in coordinating services when it comes to languages that may not be the United States' more commonly spoken languages? And you are on mute.

ALISON: Got it. Sorry, thank you. Yeah, in Vermont, you know, we have very significant communities like Kirundi speakers. And they're very small in number. But it's just as important to get them the information as to give English speakers the information. So, the pool is very, very small. And I think something that's been really important for us is that they're a trusted member of the community. So, whenever we put information out, there's always a photograph of who the person is so people know that they -- they can trust them. There often have been case managers.

But we don't, you know, if Elaine and her husband, Noel, who speak Kirundi move away, we would be in trouble in Vermont and we would have to look further afield. And in fact, initially finding a Mimi speaker to do our translations and interpretations was really, really hard. I finally hooked up with somebody who moved from here to Ohio and that's who we use now. So, it is -- it's a problem. The numbers of people speaking certain languages is small. I know of one Vietnamese translator interpreter. She does everything. And again, hopefully she stays around. Otherwise we have to go further afield. But I think the key -- but it's really important to stay local where people feel trusted. I don't want to go outside of Vermont unless I have to.

XUSANA: Thank you for that. I appreciate what you said. That you hope the person sticks around. That's often a big fear that we have. A person with a particular specialty is going to take that specialty somewhere else. And it reminds us not to take anything or anyone for granted. So, on that note, I want to ask all of our panelists, if they have any, to share their thoughts about what are some of the ways that we must support Translators, interpreters, yeah. In particular, maybe we could start off with you, Odilia, about some of your statewide network and some of the ways you have helped to build that 300 + network.

ODILIA: Well, I think I always feel like we didn't become interpreters because we thought it was a career. We became interpreters because of the need of the community. So, in the case of Mexico, 99%

of Indigenous peoples do not have access to higher education. And that 1% -- less than 1% -- actually finish higher education. That 1% stays in Mexico. The rest of us are migrants.

So, that tells you how limited our capacity is to interpret two different worlds. Right? So, one of the things that we're doing to support the interpreters because, you know, a lot of us didn't go to school for interpreting. We became interpreters out of need. So, we have -- every two weeks we have different training at a national level. We have training on how to interpret labor laws, how to interpret immigration, how to interpret hospital settings, how to interpret neurology. Because, again, like for my variant, there were only two of us. My childhood friend passed away last week, and he was the other trained trilingual Zapotec of my variant. So, it's us. We do everything. We do labor law, hospital, immigration.

And then we don't have a colleague like Spanish-English interpreter that I could go and say, when I say cholesterol, would it sound better if I have fat in my blood? Or should I say oil? Or should I say lard? Like, I don't have that support, right? So, I kind of suggest how could you support us as Indigenous interpreters or any interpreters as an organization? You need to have a budget.

You really, really need to have a budget in order to pay interpreters. In our case, for example, it could be the strawberry work that we've trained. But if I ask that strawberry worker to leave for a day, I got to be able to compensate him what he's making plus more because he's gonna miss a day out of work. Plus the baby sitting, plus the gas. All that has to be taken into account. What we're seeing in the immigrant rights movement, nobody wants to pay Indigenous interpreters. They want to do it for free. Or you use a family member, a child. And you are all in this movement.

You know, the fact that I speak a language doesn't mean I can't convert a message to the Western World. Like I'll give you an example. One day at a hospital I used to work for where children were removed. And when the dad told me, she -- pointing at his wife -- cried like in your community during the patron saints celebration. I had to have that ability to say, in August -- like the rains of -- like crying, right? Like rivers came. Or something. Because I could not tell the judge, like, hey, you know, she cried like the rain in my patron saint celebration back home. He's not gonna make any sense that have, right?

And then I just say, I had to be strong, like the four mountains between this community, this community and that community. But when I got to the bus stop, you know, I started to shake like an earthquake. And the tears that came were like hail. I mean, I cannot recite that poetry to a judge. I had to be able to convert that message. And same thing when it's a Western thought. I have to be able to beautifully put it in a way -- in a world view, right? So, how you could support? If you see an interpreter struggle, please let them know. Maybe you don't -- if you see too much Spanish, maybe you stop and say, hey. Is there a word for cholesterol? No, there is not. How about if I tell you it's an illness that causes fat in your blood? Can you say that? Yes, I could say that, right? So, that's how you could support. And the budget. Like it's so important to pay Indigenous people or anyone that interprets. So, I'll stop there because I could go on for days.

ALISON: I'm happy to chip in quickly and just re-you know, talk about the money piece. I think we have kept our translators/interpreters pretty much the same core people because I think, A, they're very committed to the project. But B, we pay them, I think, well. We know that this is hard work. It's hard work for them after they have done their day's job and put their kids to bed. And if they're gonna do this work, then they need to be compensated really well for it. That's the largest part of my budget right now

is making sure they're paid very well. And also for me, it's also about being very available. People are sending me back their stuff at 10, 11, 12, 1:00 in the morning. I really try to respond and say thank you. And really just create a community of people that I'm working with to really help them stay with the project and not, as we said before, go somewhere else. So, those are the two things that I found to be most important.

XUSANA: Thanks, Alison.

SEEMA: I'll jump in. In terms of -- I really appreciated the point that Odilia made about paying interpreters an actual wage, a respectful wage for the services they're providing. Because at least when it comes to the court system, I think one of the misconceptions about language access in the courts, particularly as it relates to interpreters, is that anyone who is bi or multilingual can perform these services in their respective languages. Which is very contrary to the truth. I mean, court interpretation for those with limited proficiency in English or for anyone on the Deaf or hard-of-hearing spectrum is a highly-specialized form of interpreting that cannot be effectively performed without extensive and specific training and skills development. Both in terms of interpretation as well as the other terminology that's required. Whether it's the legal requirement, the medical terminology. Just like Odilia referenced too, they receive training in different types of laws to effectively interpret and translate. I know of many interpreters who are regularly honing their skills and actively learning additional skills to be able to meet the challenges and the demands of what it takes to be a court interpreter.

So, I think bringing awareness to that as it relates to court interpretation and the skill, and the training required that it takes will go a long way in terms of at least appreciating the importance of the work that interpreters do. And definitely paying them a fair and appropriate wage for those services. And then also to the point that Alison made about keeping talent in Vermont.

Which is a challenge that we're currently experiencing in the judiciary because we're having to use new interpreters that are more qualified than the ones we've -- than the ones we have been using before to provide proper access to the courts. But the flipside of that is, is that we're not engaging regularly with the community groups and other interpreters that we have been using in the past and so, one of the things that we're gonna be -- we're gonna start doing at the judiciary, a part of developing a court credentialing program in Vermont to develop our own list of in state court interpreters is to create outreach programs with various institutions, various new American and immigrant groups and organizations. So, that we can create a base. And really have a in-house sort of roster of court interpreters that we can turn to because we want to include and envelope all the community members that have supported our judiciary for so many years and bring them along in our journey.

JOHN: Yeah. Just to add to that. Really great to see all of your thoughts. Fascinating to get the perspective. As a Deaf person, and working with American Sign Language, I might come at it from a different angle. Yes, there are interpreter training programs, there's national credentialing, there's a specific system for getting credentialed and code of ethics we have to abide by. Specifically because there's a lot in place, the Americans with Disabilities Act to ensure we have communication. So, thinking about empowerment and power dynamics with language.

So, as a Deaf person, working with interpreters, we feel that interpreters do have a lot of power in terms of decision making and language access. So, thinking about how can we make sure that those who are qualify ready truly qualified? Who is making the decisions about working with Deaf interpreters

versus non-Deaf interpreters? Who is making decisions about the credentialing systems? It's definitely a hot topic. We're talking about it these days. Can we ensure a Deaf perspective is part of that? Yes, I'm on board with keeping and growing the talent that we had. Of course. Interpreting is a tough job. It is mentally fatiguing, physically fatiguing. The commitment, the dedication, the process of becoming an interpreter is no mean feat. So, I'm right there with you on that front.

XUSANA: I'm glad you mentioned that, John. Because I wanted to ask, you know, you mentioned the Federal regulation on language access. And I got to ask you all... is the Federal law enough? If not, why not? And what would it take to make it better? Yeah, John, go ahead.

JOHN: Great. So, in terms of language access, from a perspective as a Deaf person, I would say access really means access to --

>> One sec here.

JOHN: Are we good? So, language access for me as a Deaf person really means that I have access to mainstream spaces where spoken English is centered, so to speak, and really highlighted. I want to be able to access that at any point in time and so, with disability rights law, Federal law, they say you need so far access to. Which is all well and good. Yes, we need to have access to communication. The primary language of use in this country is English. The big problem is, though, the spaces are not accessible. We need a Deaf space in order to grow our own language amongst our newer generation. We need to be able to work in our first language and develop our skill-set, our language, our identity. We need to be able to flourish and thrive as full human beings with our first language and there's no space for us to do that right now. The law says that there's a mandate for a space, but it's not actually being provided. People just focus on language access.

And so, let's say a Deaf child goes to a kindergarten program. The Federal law says, yes, we'll provide you interpreters. That's your accommodation. But the interpreter is simply there for communication between the Deaf student, the teacher, and the other students who are speaking English. There's no space for that Deaf child to really play in their first language, to understand how they are in the world in their first language.

So, that is a big gap that I see in the Federal law. State law as well as Federal law.

XUSANA: Thanks for that. And that last point about children, especially, in their formative years. I think that's really critical. Being able to have the physical infrastructure, the social infrastructure, and the service infrastructure in a way that genuinely is with them in mind. Thanks for saying that.

JOHN: Yeah. You're welcome.

XUSANA: I want to note that Thelma has to leave us. Thank you so much, Thelma, for being part of the panel. Thank you Madeline and the Migrant Justice team for joining us today.

THELMA: Thank you, everyone, for the invitation. And it was a pleasure to share this with you.

XUSANA: Other thoughts from our panelists on this question of the sufficiency of the Federal law? And I think I heard somebody was gonna jump in.

AMANDA: Oh, Xusana, I just wanted to check if we do have other people in the Spanish other than Thelma? Just to make sure. We do? Because it's not -- I'll just check. Sorry. Go ahead. Continue.

ODILIA: I'll jump in. I think the Federal law is not enough. Because not -- the receptionist at the hospital does not know the Federal law. And I think the violation of Indigenous rights begins at reception, right? Or at the counter. For example, if I go to a hospital and I register at the -- if that person doesn't -- the receptionist, the nurses, don't know the Federal law, they're not -- at the end of the day, that institution is just a box. This is how I see it. And there are people that work in it.

And if people from bottom-up do not know that there is a Federal law that they need to apply by, they're not gonna do it. And I see this over and over and over. Right? In different settings. In the hospitals. Nonprofits. You know, if we get Federal money, you need to provide an interpreter. We could pass all the motions, all the language access laws possible. But they're not being applied because the people working at these settings do not know about them. And I think we need to encourage our allies and the institutions about it. So, I think besides training interpreters, we do a lot of education with different institutions. And most of the time once you -- we have been doing this with the LAPD for a while. And, you know, at the beginning they did not really -- really not all the officers knew about this law. And I mean, we have been -- I don't think we've gone through the 10,000 officers. But we constantly get this, like, oh, we didn't know there was a law. Or we didn't know there was this law.

So, I think there is need to be also accompanying educating our friends or allies, the institutions about these Federal laws, these local laws, these state laws about language access. Because if the person at the reception desk doesn't know it, then it's not enough.

SEEMA: I sort of have two different perspectives. One is from the judiciary's perspective. No, the regulations, Federal and State, I would argue and agree with both John and Odilia are not enough. Mainly because if you are someone who doesn't speak English or who is on the Deaf spectrum and you are in a legal predicament and you are wanting to access the courts, you probably don't know what your rights are. You're probably already feeling intimidated or vulnerable. Sometimes in many cases you are low-income so you feel a double vulnerability there. You're in survival mode. You're not thinking about what your rights are in some of those instances. And so, from a -- from a sort of a more bird's eye perspective on this, beyond the legal angle and the challenges, I think the true experience of language justice and justice as it encompasses many human rights issues or probably all of them is gonna be experienced when there's an actual culture of our society that shifts to feeling and to act more inclusively with each other.

I think for really long time, we've squeaked by with the notion that we can remain in ethnic and racial silos without consequence. Which to me is not true. But I feel like we've maybe made ourselves feel that way. But now I think more than ever we're beginning to realize that engaging in and embracing our diversity is actually beneficial on social levels, on economic levels, political levels. And I would argue even environmental levels. And not engaging is working -- or not engaging with each other is working to our detriment. In this current state of our democracy, to really bring it out, we're principles of our respect and integrity and rule of law are being actively challenged. It's our collective awareness and the building of trust in our communities and trust and appreciation of each other which is going to be a powerful decoction of healing in this. In my mind and world, instead of laws being passed for coercion sake, compelling people to act, we will have laws and regulations passed that represent who we are as a society. Which I hope will be the case down the line.

XUSANA: Thanks, Seema. I wanted to follow that thread about building trust in the community. And advocate maybe if Alison and then Odilia can speak to the programs that you each built about that. And,

you know, what are -- are we building trust? And how can we do it better? What have you heard from people?

ALISON: Go ahead, go ahead. Please, go ahead.

ODILIA: I think we have the trust -- I had to step outside because my office was so cold. I shouldn't complain because you guys are where it's really cold. But I think we have the trust of the community. They will call to get an interpreter, right? We have the trust. Where the community doesn't have the trust is the institutions where they go. So, we've done a lot of work. And I think our work at CIELO has been over 20 years. As different roles that we've had in the community. But I think some of the things to have I know like you guys are in Boston, right? Am I -- is it Boston? Vermont. There's a lot of people from -- what this group? That had been displaced in that area. They're in the roofing business. Right? How do you build trust with them?

We start having messages in their language in that area about their labor rights. Or about COVID. But have it in their language because it's the largest population of Indigenous people. We have to work slowly. It's hard to gain trust of people when they're constantly being abused or language rights are being denied in different institutions and with different orgs, right? So, the things that once upon a time, we can start with some videos about their rights, how to take care of yourself during this cold weather. And then come to you slowly and say, hey, I need help. Or they know they can trust you because there's, you know, there's one thing you have done to show your trust is creating information in their language.

ALISON: Yeah. I -- for us it's kind of what I said before. The message has to be delivered by trusted loved members of the community. If we were to just get somebody from the outside to do it, I don't think it would have nearly the same impact. So, that's key to me. I don't think I have anything to add to what Odilia is saying really, yeah. I -- one interesting thing my -- I had a long chat with my Vietnamese translator/interpreter the other day. Because it seemed that the number of hits on her videos was going down. And I was curious to know why that was because I know how hard she pushes out the information. And she said that she was now going to the local Buddhist temple on the Friday and sharing the message with like 25 or 30 people.

And then on the Saturday she was sharing the same message with the people at the Catholic church to maybe 45 to 50 people. So, again, I think that personal contact, face-to-face with her community really makes a huge difference. Interestingly, she told me that there were over -- there was 400 Vietnamese nail salons throughout the state of Vermont. Which I had no idea about. And so, now we need to figure out how to get our messaging and who is gonna be the ambassador of that messaging to those 400 different people throughout the state who are probably pretty isolated. So, that's -- those are interesting things for me to think about and figure out our next steps.

But again, I think key trusted figures is the only way we can really go about making progress.

XUSANA: And that really goes back to what John was saying about making sure that the -- whatever programs we're initiating, or new updates or modernizations are done with people with lived experience in mind. And built that way from the ground up. On that thread, I would like to ask our panelists, what have you seen over the years maybe that has signaled improvement? What are the ways that this space has become more modern and more adept over time?

I mean, obviously, you know, technology has advanced in many ways. But where has the progress really been on the language justice?

ODILIA: I think progress has come from the community itself. In our case as Indigenous people, we had to organize. The first group of interpreters was created by another organization in 1997, '96. After seeing a lot of people go into mental institutions accused of crimes that they did not commit because of the language barrier. But I think the advancement was made bit community. Knocking doors about language access. Knocking doors about our existence as Indigenous people. Like all that advancement has been made directly by the impacted community and pushing legislators. You know, politicians. To make some changes. But we all come from the ground. Like for us as Indigenous people, it was the community. Farm workers started this interpreting program and movement. They had no education. But they had a vision of what was needed and the demand that was gonna come as we're being pushed out from our lands and territories as Indigenous people.

So, I think those are the -- it's been community advancement. Creating programs, creating organizations. Demanding our rights. But everything has come from the community.

ALISON: I'll give a small, but I think significant step forward which is that when we started our project, it was very much about refugees and immigrants, and we made a conscious choice not to use ASL as one of our languages. Although initially we did do some ASL videos. But the ASL community was very strong in continuing to push for us to do that. I felt very strongly this needed to be a state initiative as opposed to initiative of what we called then the Multilingual Coronavirus Task Force. We are thrilled that now the State of Vermont is paying separately for those videos to get made. And it's all basically integrating what we're doing into, you know, a statewide initiative as opposed to it being kind of -- kind of on the edges marginal. Which I still consider which is with a we're doing.

So, now it gets paid through by the state. They take it on. And then we post it. So, you know, I've only been doing this work for a very short time. But within the last 20 months, just stuff around COVID is now being paid for by the State. So, I see that as progress.

SEEMA: I think I might be too new at the judiciary since I just joined this April to notice real sort of substantive changes in terms of increasing or expanding language access in the court system here. But I think I have an example to share in my previous work when I was working in India doing rural development. Mainly, you know, supporting rural enterprises of Indigenous and tribal community there is. A lot of the progress that we saw in those communities was when we were able to connect them to government resources, financial resources, education resources, and bring awareness that these are communities that are as entrepreneurial as everyone else in that region. And that they need access to the same resources so that they can uplift themselves and build their own economies there.

And so, just building the awareness of the languages that they speak and the resources that need to be available to them in their languages was a big -- was a big plus point in terms of increasing access. So, pretty much what everyone is saying is, you know, building trust engaging with as many institutions and organizations to build space was really important for me in my work.

XUSANA: All right. Yeah, John, go for it.

JOHN: Just to add to that. In terms of what I've seen as progress or improvements, I guess I really look at more, has there been a shift rather than actual progress? And there is a slight shift. Meaning that

people are really starting to recognize and realize that interpreters are needed. That Deaf interpreters are needed. And that it's acceptable to have Deaf interpreters. So, it seems that people have shifted their lens. You know, for platform interpreting, for medical emergencies, for general emergencies. For community interpreting, might not be warranted to have a Deaf interpreter. But for high stakes situations, more and more people are very willing to work with both a Deaf interpreter and a hearing interpreter team.

Then within the Deaf community itself, I've noticed there's also been a shift there. And I think because over centuries, you know, interpreters have really been really white-centered. Any BIPOC interpreters have been marginalized. So, now it seems that the community is realizing, wait a second. There is a need to acknowledge white supremacy, to acknowledge racism, that's in the interpreting field as well as in the Deaf community. We have to start unpacking that and shifting away from a white lens. And so, yes, we're talking about what it means. But we have to also think about the implications from the impacts. How can we dismantle the oppressions that have been systemic even within our own community? So, that's been a shift that I've seen that's been going well.

XUSANA: All right. Thank you for that. We have a question from one of our attendees. And I want to remind follows. We are at the point in our program where we would love for you all to share your reflections with panelists -- with the panelists and your questions as well. So, one of our attendees asked, if there are any projects that are beginning in education at the early years to increase knowledge among all Vermonters of the need for language access? John?

JOHN: I want to raise my hand quickly just because it was so pertinent to what I was talking about with education in the K-12 setting. Yeah. There's been a pretty big issue in Vermont in terms of the connection we have with the Agency of Education. Honestly, they do not understand that American Sign Language is a language, that there is a Deaf community out there. They just awarded a grant of \$1 million to an organization to provide consultation to school systems that work with Deaf, hard of hearing and Deaf Blind children in the K-12 programs. With that grant awarded, there are stipulations of what the scope of work is. And the focus is on spoken and listening skills. They do not talk much about American Sign Language. I'm finding there's language oppression right there within the RFP. As a community, we did write a letter to the Agency of Education expressing our dire concerns and it did not seem to get through. No one is explaining about this. And I don't think they read through our letter to see the actual concerns we have.

I don't know if you saw it, but we had an article published in Vermont Digger last week talking to this. We'll see if it gets changed. But we're trying to make an impact. Yeah, I think our current project is really to focus on and encourage more language access in the K-12 setting to make sure that, yes, Deaf students have full access. You know? Let's expose them to a visual language. Let's expose them to American Sign Language first and foremost.

XUSANA: Thanks for sharing that. Yeah. I hadn't seen that article. That's amazing. Because on the one hand, it takes the positive set of budgeting for something. Which we have been talking about here. But as you point out, John, it still has its short comings. And in this case, the shortcoming is linguisticism.

JOHN: Absolutely.

XUSANA: So, look. I'm gonna be honest with you. No moderator is ever going to fully bring up all the things that our panelists actually wanted to talk about. I have been training to be a mind reader, but that is an expensive class, and I haven't gotten through it yet. So, I would like to invite our panelists to share with us anything that we didn't cover. Anything that I moved too quickly from. Or something that has not been said that must be said.

AMANDA: Don't be shy.

ALISON: I'll say something. You know, when I started this project, it was just horrendous to me that my language, English, was the only language that this information about COVID was going out in. And that's what spurred me to do this work before I got paid starting like a month ago. And when I think about what we do, which is just provide information orally to Vermonters and I think people actually all over the world now in various ways about COVID, I then think about well, everything else. Like Odilia and others have been talking about. What about mental health? What about going to -- what about, you know, the courts? What about everything? What about housing rights? It's so simple what we are doing which is like putting the information in a -- in oral form that can be sent out through community groups, through WhatsApp, through texting, through fiber.

About not only life-saving decisions that they can make, but also just about human rights issues. About what your legal rights are. So, I'm -- I know why it's not happening. But it's absolutely ridiculous to me that it doesn't happen. And it's not gonna cost a ton of money to do it. And so, for me, you know, I am towards the end of my career. I'm 61 years old. It's kind of my mission in life to make things really change. Not only for Vermont, but to try and push what we're doing out further afield. Because it's just -- it's just not okay that people who are walking around doing their everyday life who -- who we welcome into this country, who we tell deserve a free and appropriate education but don't even know when it snow day is because that message isn't even given to them in their own language. Who don't know their landlord is abusing them? I could go on for hours about it. But it's -- that's my mission. And I'm really thrilled to have met with some really amazing people here today and feel excited. I feel even more impassioned to do the work that needs to be done. I want to say thank you to everyone doing the work. You've really inspired me to do better and bigger. Thank you.

ODILIA: Well, first of all, I want to thank you all for having me on this panel. But I want to also mention to always look at our migration story, right? What was happening? Why are we here? If we're not Tongva, we're not Subhash, we're not Inuit, we're not from here. We're not native to the lands. I get a question, why are you here? Why don't Indigenous people stay back home? I invite you to see what's happening in Guatemala, why are you going to see an increase in Guatemala in Boston and New York. What our country does to push this displacement. So, you know, always think about your migration story when you're dealing with migrants. And always think, nobody leaves home just to go across country, across a deadly desert in order to live. Thank you.

SEEMA: I guess I'll have to admit that I have been working in human rights for over 12 years now, almost 15 years. But when I took up this position with the judiciary, I did not fully appreciate how crucial language rights and language access is. Just like John and Odilia and Alison have mentioned in various responses of theirs. We take our spoken English for granted. And I'm navigating 19 different things in my personal life and if I did not speak English, spoken English, I'm not certain I would be able to successfully navigate those with our current disposition on language access. So, it's -- it's a human right for me. Language access. Especially now that I'm working in the throes of it. But it's something that I'm really

grateful that we're all discussing here today. And I'm learning a lot. I learned a lot from our panelists. So, thank you, Xusana, and HRC for organizing it.

JOHN: Yeah. I would agree with you on that. I feel very much the same way. You know, when I really got into teaching American Sign Language, I never had the opportunity to think back on spoken languages. And the impact that your lives have because of language access or lack of access and linguicism for this language. Yes, it is a human right. Thank you for this opportunity for me to learn from you. It's tremendous. The other thing is I have been advocating for a good 20 years and trying different strategies to advocate. To really, I don't know, get things happening. Do we do litigation? Do we talk to the newspaper? Do we talk to legislators? Like how many ways can we come at this to make it effective? And I feel like now that I'm doing research, there's another way that I can hopefully break through.

But again, how do we change the system? It really takes a whole community. It takes more than a village. And I think too, oppressions are always going to be there. And it really stems from ideology. So, how can we shift ideologies? Someone has an idea that English is best. And then thing that English is the way you can earn a living, English is the way you become part of society. And again, this is strictly because of ideology and values and then laws and policies are based off that have. And then it gets disseminated throughout our country. So, just to put this out there, how do we change ideology?

Because I think if we change that, it will trickle down and change everything. So, just some food for thought.

ODILIA: On that note, I highly recommend for you all to watch Exterminate the Roots. I think it's HBO. It's so important to watch it because it goes back to your fundamental human rights of who decides when you're human. And without language access, there's no human right. I highly recommend that you all watch "Exterminate the Brutes."

XUSANA: Thank you all.

JOHN: Thank you for that, Odilia.

XUSANA: Yeah., you know, I'm also thinking about what John said about someone just decided English was best. And that just was it. The United States has no official language. Yet so many people just assume that it's English. And when you speak another language here, they tell you, you're in America. Speak English. Well, the United States has more Spanish speakers than Spain does. But the assumptions we make about dominance culture really influence the way we think.

So, I'm really grateful to all of the panelists for being here and for sharing their time and their expertise. And to the attendees for joining me in learning from them and with them. I would like to wrap up with a few highlights of this great conversation.

Some things that I heard today that really resonated with me and I hope they will with you too. Odilia, you talked about, you said, when we talk about language justice, we see that there's no justice for Indigenous people. Again, we have to go back far enough to remember that for many people, they didn't cross a border. A border crossed them. And with that, their linguistic lives changed.

John, you said that "Access" means access to mainstream spaces where spoken English is centered and highlighted. And that disability rights law gives access to those spaces, but the spaces themselves are not accessible. And that we need to be able to work in our first language and in our full identities.

Alison, you talked about some of the ways that your program is adapting and pivoting. Like adding new languages to accommodate Afghan arrivals. Changing with the times like including things like a YouTube channel to meet people where they are.

Seema, you shared with us that there's an assumption that any bilingual or multilingual person can provide interpretation services, but that it's a highly specialized service that needs technical skills training and in a lot of cases, subject-specific training.

And Thelma, who had to leave early, she said that for many people that are limited English proficient, last two years of engagement have made communicating more difficult, not easier.

You all talked about things like having a budget for interpretation. And asking ourselves, are we compensating people for the wages they're missing out on by stepping in for us? We asked whether every multilingual person can do interpretation? Local interpreters are key for building trust. But in a place like Vermont, that sometimes can be hard to accomplish, and we may have to pull from a broader, national pool. We talked about how there seems to be more recognition today that interpreters are needed. Especially in high-stakes situations. And we defined terms like language access, language justice and linguicism.

So, that about does it. I want to give it back to Amanda to close us out. Again, thank you all so much for your time and your expertise.

AMANDA: Thank you so much. Thank you for all the participants that came. We will send follow-up with some -- some more information and resources. We hoped to do this again sometime. We will have sometime in January and February we're gonna have another little webinar on access and language justice. But only focused on education. So, I would love to have you all to see how that's working out for us and what do we need to move? Please see the Human Rights Commission as a resource for you to support you in your endeavors. I'm like a little bee trying to connect with everybody, but we're not doing all the work, you all are. And we are here to support you in moving this conversation forward. We really want to see language justice as the core of our practice here at the HRC.

But also, through the relationships that we build. So, thank you. Thank you to the panelists, thank you so much for the interpreters and Translators and yeah. Enjoy the rest of the day! Thank you.

SEEMA: Thank you, everyone. Have a good everything. Thank you to all the interpreters. Really appreciate it. Thanks, Xusana, thanks, Amanda.

AMANDA: Thank you.

JOHN: Nice to meet all of you. Thank you so much.

AMANDA: Thank you. I really appreciate all your support. Thank you. Bye, John!

XUSANA: Thanks, Amanda, I really enjoyed it.

AMANDA: That was great. Thank you, thank you, thank you. We should do this again sometime.

XUSANA: We will.

AMANDA: Okay. Bye!